

Remarks

As noted above, the Office Action mailed December 7, 2005 for the above-identified application has been carefully reviewed and considered. Claims 10 and 40 have been amended in response to the Examiner's objections, claims 10 and 40 having been amended, the claims now pending in the present application are claims 1-4, 6-11, 13, 14 and 39-50. Favorable consideration is respectfully requested.

The reminders provided to the Applicant in numbered paragraph 1 on page 2 of the Office Action are noted with appreciation. There are no concurrent proceedings relating to the prosecution of the present reissue application and none are anticipated.

In numbered paragraph 2 on page 2 of the outstanding Office Action, the Examiner has noted that the reissue declaration filed with the application is defective because it fails to identify at least one error which is relied upon to support the reissue application. In response a new reissue declaration is enclosed herewith.

In numbered paragraph 3 on page 2 of the outstanding Office Action, the pending claims are rejected as being based upon a defective reissue declaration. The undersigned attorney has provided a new reissue declaration for review and consideration by the Examiner. In view of the new reissue declaration, it is respectfully submitted that the rejections to the claims are now moot. Insofar as the rejections may be maintained with respect to the present claims, reconsideration and withdrawal are respectfully requested.

The Examiner's reminder regarding the provisions of Rule 173 regarding the form of amendments in a reissue application is noted with appreciation.

On page 3 of the outstanding Office Action, in numbered paragraph 5, claims 10, 11, 13 and 40 are objected to in view of certain informalities. Amendments have been made to claims 10 and 40 to address the informalities. In view of the amendments to claims 10 and 40, it is respectfully submitted that the objections are now moot. Insofar as the objections may be maintained with respect to the present claims, reconsideration and withdrawal are respectfully requested.

The Examiner's acknowledgement of the withdraw of the final rejection in the earlier Office Action is noted with appreciation and the further note that the present rejection has been made final is also noted.

The Examiner's acknowledgement of allowable subject matter in numbered paragraph 7 is also noted with appreciation as is the Examiner's statement for reasons for allowance noted in numbered paragraph 8.

The Examiner's helpful assistance in regard to the present prosecution is noted with appreciation and the undersigned attorney wishes to extend a thank you to the Examiner.

In view of the foregoing, it is respectfully submitted that the claims now pending in the present application are in condition for allowance is earnestly solicited.

Enclosed herewith is a Petition for a One-Month Extension of Time requesting an extension of the period for responding to the present Office Action mailed December 7, 2005, from March 7, 2006 to April 7, 2006. Please charge the Petition fee and any further fees which may be required to ensure that the present response is timely filed, please charge any such fees to the deposit account of the undersigned attorney's law firm, Deposit Account No. 13-4300. Thank you.

The Examiner is respectfully urged to contact the undersigned attorney if there are any further matters standing in the way of allowance of the above-identified application that the undersigned attorney has overlooked, and it is believed by the Examiner that these matters can be addressed and resolved in a telephone conference and thereby speed the conclusion of the present prosecution. The Examiner's consideration in this regard will be appreciated.

Respectfully submitted,

for the Applicants
by their attorneys,

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By:


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